

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES TOMLINSON,	)	CASE NO.: 8:08CV176
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION FOR DISMISSAL
	)	WITH PREJUDICE
OMAHA STEEL CASTINGS, CO.,	)	
	)	
Defendant.	)	

COME NOW the parties, James Tomlinson ("Plaintiff") and Omaha Steel Castings Co. ("Defendant"), by and through their undersigned counsel, and stipulate that Plaintiff's Complaint against Defendant is hereby dismissed with prejudice, with each party to bear their own costs and attorneys fees.

JAMES TOMLINSON, Plaintiff

OMAHA STEEL CASTINGS CO.,  
Defendant

/s/ Patrick A. McCormick  
Patrick A. McCormick, #22450  
319 South 17<sup>th</sup> Street, Suite 700  
Omaha, NE 68102  
(402) 498-2777  
ATTORNEY FOR PLAINTIFF

/s/ Cristin McGarry Berkhausen  
Robert F. Rossiter, Jr., #16650  
Cristin McGarry Berkhausen, #23788  
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(402) 341-6000  
ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on July 20, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Patrick A. McCormick  
319 South 17<sup>th</sup> Street, Suite 700  
Omaha, NE 68102

/s/ Cristin McGarry Berkhausen